

REMARKS

Applicants have thoroughly considered the Examiner's remarks and the application has been amended in light thereof. Claims 1-48 are presented in the application for further examination. Claims 1, 15, 23, 30 and 40 have been amended by this Amendment A. Claims 45-48 have been added by this Amendment A. Reconsideration of the application claims as amended and in view of the following remarks is respectfully requested.

The Examiner has rejected claims 1-8, 12-20, 22, 27-32 and 34-43 under 35 U.S.C. §102(e) as being anticipated by Kozdon et al. (U.S. Patent No. 6,226,285). Applicants do not agree with the Examiner's interpretation of the Kozdon et al. reference. Furthermore, applicants do not agree with the application of the reference to the claims.

Regarding claims 1, 2, 15, 30-32, 36, 40 and 41, the Examiner argues that Kozdon et al. disclose "a computer, having a data connection to a web server, for initiating a telephonic connection between a plurality of telephonic devices (Fig. 4, col. 7, lines 4-5)."

Applicants submit that the Examiner is reading lines 4-5 of col. 7 of Kozdon et al. out of context. In particular, col. 7, lines 1-15 specify the following: "FIG. 4 illustrates how the system is arranged to allow multimedia presentations to be viewed within a corporation even though the data is stored at a location remote to the person who wants to use the data. In this situation, a user at a computer 74 accesses data on a remote web server 96 which could be located, for instance, in a different state or country. The user requests the web server to deliver the visual data to the computer 74 and the audio data to the user's telephone 76. The intranet web server 96 contacts, via routers 86 and 82 and the Internet 84, the TIS 80 connected to the user's telephone 76. The TIS 80 then communicates with the PBX system 78 to set up a connection to the user's telephone 76. The appropriate data is then transferred from the intranet web server 96 to the user's computer 74 and the user's telephone 76."

As indicated in the last line of this paragraph, the end result is that data is transferred from the server 96 to the user's computer 74 and the user's telephone 76. Thus, contrary to the Examiner's argument, this reference does not teach initiating a connection between a plurality of

telephonic devices. Instead, it teaches only the initiation of a connection between a web server and the user's telephone.

In contrast, claim 1 is directed to an apparatus for initiating telephony between a plurality of telephonic devices. In particular, claim 1 has been amended to illustrate that one aspect of the invention, as recited by amended claim 1, is a computer for initiating the web server to establish a telephonic connection between a plurality of telephone devices in combination with a web server which issues the command to the plurality of telephone devices in response to the web server being initiated by a user controlling the computer. In other words, according to amended claim 1, a computer initiates a telephonic connection which is then accomplished by commands issued by the web server to two or more telephonic devices to establish a telephonic connection between the telephonic devices. The Kozdon et al. does not teach a connection between two or more telephonic devices but instead teaches the transfer of data from a web server to a user's telephone.

To illustrate this aspect of the invention, claim 1 has been amended to specify "a computer, having a data connection to a server, for initiating the web server to establish a telephonic connection between the plurality of telephonic devices." Further, claim 1 has been amended to specify that the telephony servers connect to the plurality of telephonic devices "upon a command received from said web server." Finally, claim 1 recites that "said command is issued by said web server to said plurality of telephonic devices in response to said web server being initiated by a user controlling said computer." Thus, claim 1 clearly recites a web server which is initiated by a computer in combination with a command issued by the web server to telephony servers to establish a telephonic connection between two or more telephonic devices. In contrast, the Kozdon et al. reference teaches the transfer of data from a web server to a user's telephone. Thus, claim 1 and claims 2-14 depending from claim 1 are patentable over the Kozdon et al. reference so that the rejection must be withdrawn.

Independent claim 15 has been amended in a manner similar to claim 1 and is distinguishable over the Kozdon et al. reference for the same reasons as noted above with regard to claim 1. In particular, claim 15 has been amended to recite "upon receipt of and in response to

said selection of the first and second devices from said computing device, said web server is initiated by the computing device issue commands to said first and second telephony servers to call the first and second telephone devices, respectively, and to establish voice communication between them." In particular, claim 15 specifies a web server which is initiated by a computing device in combination with commands issued by the server to first and second telephony servers to call the first and second telephonic devices to establish a voice communication between the devices. As noted above, the Kozdon et al. reference fails to teach establishing voice communication between two telephony devices initiated by the computing device and established by the web server but rather teaches only the transfer of data from a web server to a user's telephone. Thus, the rejection of claim 15 and claims 16-22 and 24-29, depending from claim 15, must be withdrawn.

Similarly, claim 30 has been amended to illustrate this aspect of the invention. As amended, claim 30 specifies "a web server...for establishing voice communication between the two or more telephony devices." In addition, claim 30 specifies "a communication initiation device...for initiating the web server to establish the voice communication between the two or more telephony devices via the data network." As noted above with regard to claims 1 and 15, this combination according to the invention is not taught by the Kozdon et al. reference so that the rejection of claim 30 and claims 31-39, depending from claim 30, must be withdrawn.

Similarly, method claim 40 has been amended to specify that "voice communication between the two telephony devices via the data network is established by the web server in response to said web server being initiated." This combination according to the invention is not taught by the Kozdon et al. reference so that the rejection of claim 40 and claims 41-44, depending from claim 40, must be withdrawn. (The summary of the invention on page 10 of the specification has been amended to parallel amended claim 40.)

The Examiner also argues that the Kozdon et al. reference discloses "a plurality of point of presence (POP) telephony servers, coupled to a telephone network, and to said web server, said plurality of POP telephony servers for connecting to said plurality of telephonic devices upon command by said web server (col. 7, lines 10-15)." In support of this argument the

Examiner again cites the paragraph from the Kozdon et al. reference which has been quoted above. As noted above, it is submitted that the Examiner is misreading this aspect of Kozdon et al. since it teaches only the connection of a web server to a user's telephone and not a web server initiated by a computer in combination with a command from the web server to telephonic servers for establishing of a connection between a plurality of telephonic devices. For these additional reasons, it is submitted that independent claims 1, 15, 30 and 40, as well as the claims depending therefrom, are distinguishable over the Kozdon et al. reference so that the rejection based thereon must be withdrawn.

Since applicants believe that each of the independent claims is clearly distinguishable over the Kozdon et al. reference, it is unnecessary to address the individual rejection of the dependent claims. However, applicants note that the particular recitals in the dependent claims in the context of the independent claims is not taught by the Kozdon et al. reference so that these rejections must also be withdrawn.

In summary, the rejection of claims 1-8, 12-20, 22, 27-32 and 34-43 under 35 U.S.C. §102(e) as being anticipated by Kozdon et al. must be withdrawn.

Claims 9-11, 21, 24-26, 33 and 44 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kozdon et al. in view of Coffman et al. (U.S. Patent No. 6,385,191). In general, the Examiner admits that Kozdon et al. do not disclose certain aspects relating to the plurality of POP telephony servers. The Examiner argues that it would have been obvious to use a telephony gateway as taught by Coffman et al. in the Kozdon et al. system with the motivation to convert Internet voice calls to telephone calls (col. 3, lines 15-16). However, applicants disagree that col. 3, lines 15-16 provide the motivation for combining the Coffman et al. and Kozdon et al. references. It appears that, in fact, the Examiner may be referring to col. 4, lines 21-24 wherein the Kozdon et al. reference indicates that computer network-compatible data may be transformed to telecommunications network-compatible data. In any case, applicants note that Kozdon et al. teaches such only in the context of data being transferred from a web server to a user telephone and not in the context of a web server initiated by a computer and issuing

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commands for establishing a connection between two telephone devices. Thus, there is no basis for combining the references as suggested by the Examiner.

Furthermore, applicants submit that the combined references do not render the claims obvious. In particular, applicants note that Coffman et al. is deficient for the same reasons as noted above with regard to Kozdon et al. In particular, both these references fail to recognize a web server initiated by a computer in combination with a command issued by the web server to telephony servers to establish a telephonic connection between two or more telephonic devices, as recited by claim 1. Independent claims 15, 30 and 40 similarly distinguish over the combined references and the Coffman et al. reference for the same reasons as noted above with regard to claim 1 and Kozdon et al. Thus, the rejection of claims 9-11, 21, 24-26, 33 and 44 as being obvious under 35 U.S.C. §103(a) based on the Kozdon et al. and Coffman et al. references must be withdrawn.

Applicants thank the Examiner for the indication that claim 23 would be allowable if rewritten in independent form. Claim 23 has been amended to include the subject matter of claims 15 and 22 from which it previously depending. Thus, as amended, claim 23 is in independent form and is in condition for allowance. Claims 45-48 depending from claims 1, 15, 30 and 40, respectively, present the subject matter of claim 23. Thus, claims 45-48 are also allowable.

A minor typographical error on page 17 of the specification has been corrected.

It is felt that a full and complete response has been made to the Office action and, as such, places the application in condition for allowance. Such allowance is hereby respectfully requested. If the Examiner feels, for any reason, that a personal interview will expedite the prosecution of this application, he is invited to telephone the undersigned.

A check in the amount of \$156.00 is enclosed to cover the additional claim fees. The Examiner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 19-1345.

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Respectfully submitted,

A handwritten signature in black ink, reading "Frank R. Agovino". The signature is written in a cursive style with a large, stylized "F" and "A".

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MARKED-UP VERSION SHOWING CHANGES MADE

IN THE SPECIFICATION:

The first full paragraph on page 10 has been amended as follows:

Another aspect of the present invention provides a method for initiating voice communication between two telephony devices, utilizing telephone networks for local communication, and a data network for long distance communication. The method includes: a) selecting the two telephony devices to be connected; b) providing information associated with the two telephony devices to a web server; c) associating local telephony servers with the provided information; and d) commanding from the web server that the associated local telephony servers establish communication with their associated telephony device[; e)] wherein voice communication between the two telephony devices is [initiated thru] established by the web server.

The first full paragraph on page 17 has been amended as follows:

Figure 3 provides a block diagram of the ThinkLink interface 300. More specifically, the block diagram 300 illustrates a number of different communication devices 302 coupled to a communications server 304 via modern voice or data connections 303. For example, the connection to the communications server 304[2] from the communication devices 302 could be POTS, ISDN, ADSL, cable modem, LAN or WAN. The communication devices 302 include telephone, fax, cell phone, personal digital assistant (PDA), computer, or any other telephony or data device compatible with existing or future telephone or data networks. The communications server 304 is then coupled to a network operations center (NOC) 312 via a data network 310. A second communications server 320 is shown connected to the NOC 312 via a data network to illustrate connectivity between the devices 302 and other remote devices 330. One skilled in the art will appreciate that while only two server connections are shown to the NOC 312, many other connections are provided. In fact, the number of data connections provided by the NOC 312 is

essentially without limit, albeit concurrent connections may be limited by the bandwidth of the data network 310.

IN THE CLAIMS:

Claim 1 has been amended as follows:

1. (once amended) An apparatus for web initiated telephony between telephonic devices, the apparatus comprising:

a computer, having a data connection to a web server, for initiating the web server to establish a telephonic connection between a plurality of telephonic devices; and

5 a plurality of point of presence (POP) telephony servers, coupled to a telephone network, and to said web server, said plurality of POP telephony servers for connecting to said plurality of telephonic devices upon a command [by] received from said web server;

wherein said command is issued by said web server [is] to said plurality of telephonic devices in response to said web server being initiated by a user controlling said computer.

Claim 15 has been amended as follows:

15. (once amended) A system for establishing voice communication between first and second telephone devices coupled to first and second telephone networks, the communication initiated by a computing device coupled to a data network, the system comprising:

a first telephony server, coupled to the first telephone network and to the data network;

5 a second telephony server, coupled to the second telephone network and to the data network;

a web server, coupled to said first and second telephony servers via the data network; and

a computing device, coupled to the data network, for making a selection of the first and second telephone devices for communication, and for providing said selection to said web server;

10 wherein, upon receipt of and in response to said selection of the first and second telephone devices from said computing device, said web server is initiated by the computing

device to issue commands to said first and second telephony servers to call the first and second telephone devices, respectively, and to establish voice communication between them.

Claim 23 has been amended as follows:

23. (once amended) A system for establishing voice communication between first and second telephone devices coupled to first and second telephone networks, the communication initiated by a computing device coupled to a data network, the system comprising:

a first telephony server, coupled to the first telephone network and to the data network;

5 a second telephony server, coupled to the second telephone network and to the data network;

a web server, coupled to said first and second telephony servers via the data network; and

a computing device, coupled to the data network, for making a selection of the first and second telephone devices for communication, and for providing said selection to said web server;

10 wherein, upon receipt of said selection from said computing device, said web server commands said first and second telephony servers to call the first and second telephone devices, respectively, and to establish voice communication between them;

wherein said web server comprises a POP database for storing an IP address for said first and second telephony servers, and for associating telephone numbers with either of said first or
15 second telephony servers; and

[The system as recited in claim 22] wherein when said [computer] computing device selects said first and second telephone devices for communication, and provides said selection to said web server, said web server determining[es] which of said first and second telephony servers are associated with said selected first and second telephone devices.

Claim 30 has been amended as follows:

30. (once amended) A long distance communication system for establishing voice communication between two or more telephony devices, each coupled to a telephone network,

the communication system utilizing a data network as the long distance transmission medium,
the communication system comprising:

5 a plurality of point of presence (POP) servers, each coupled to a local telephone network,
and to the data network;

a web server, coupled to said plurality of POP servers via the data network, said web
server configured to receive information associated with the two or more telephony devices,
[and] for selecting one or more POP servers from said plurality of POP servers, and for [to]

10 establishing voice communication between the two or more telephony devices; and

a communication initiation device, coupled to said web server via said data network, for
providing selected information associated with the two or more telephony devices to said web
server and for initiating the web server to establish the voice communication between the two or
more telephony devices via the data network.

Claim 40 has been amended as follows:

40. (once amended) A method for initiating voice communication between two
telephony devices, utilizing telephone networks for local communication, and a data network for
long distance communication, the method comprising:

a) selecting the two telephony devices to be connected;

5 b) providing via the data network information associated with the two telephony devices
to a web server;

c) associating local telephony servers with the provided information; and

d) commanding from the web server that the associated local telephony servers establish
communication with their associated telephony device via the data network;

10 [e)] wherein voice communication between the two telephony devices via the data
network is established by [is initiated thru] the web server in response to said web server being
initiated.

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Claims 45-48 are new.